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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AI MING NI,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	No. 08 Civ. 00385 (LBS)
	:	
MICHAEL B. MUKASEY, Attorney General of	:	ECF Case
the United States, <u>et al.</u> ,	:	
	:	NOTICE OF MOTION
Defendants.	:	
	:	
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PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of the Motion of Defendants Michael B. Mukasey, Attorney General of the United States; Michael Chertoff, Secretary of Homeland Security; Kevin Ohlson, Director of the Executive Office for Immigration Review; Juan Osuna, Acting Chairman of the Board of Immigration Appeals; David L. Neal, Chief Judge of the Executive Office for Immigration Review; Emilio Gonzales, Director of United States Citizenship and Immigration Services; Susan Raufer, Director of the Lyndhurst, New Jersey Asylum Office of Citizenship and Immigration Services; and Robert D. Mueller, Director of the Federal Bureau of Investigation to Dismiss the Complaint, and upon all the pleadings filed in this action, defendants, by their attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, will move this Court for an order dismissing the

complaint pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, and for such other and further relief as the Court deems just.

Dated: New York, New York
April 24, 2008

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Defendants

By: /s/ David Bober
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